

REMARKS**I. Status of the Claims:**

Claims 1-13 and 15-20 are pending in the application.

By this Amendment, claims 1, 4, 5, 7-9, 11 and 12 have been amended, claim 2 has been canceled without prejudice or disclaimer and claims 21 and 22 have been newly added. No new matter has been introduced by this Amendment.

Upon entry of this Amendment, claims 1-13 and 15-22 would be pending.

II. Response To Drawings

The Examiner states that Figures 1-6 should be designated by legend such as --Prior Art--. Applicants have amended Figs. 1-6, in accordance with the Examiner's suggestions. Enclosed is a Submission of Formal Drawings in which the replacement formal drawings include the requested changes by the Examiner.

III. Objection to the Specification

The Examiner objects to the title of the invention for not being descriptive. Applicants have amended the title of the invention to address the Examiner's concerns. Thus, reconsideration and withdrawal of the objection are respectfully requested.

The Examiner has objected to the disclosure as containing minor informalities. Applicants have amended the specification to correct these typographical errors, in accordance with the Examiner's suggestions. Thus, reconsideration and withdrawal of the objection are respectfully requested.

IV. Objection to Claims 1, 4-5, 8-10, 12 and 18-19

The Examiner has objected to claims 1, 4-5, 8-10, 12 and 18-19 as containing informalities.

As to claim 1, Applicants have amended this claim to identify the surface as that of the mirror or the optical deflection element to address the Examiner's concerns. Further, separate from the objection, the term "detachment element" has been replaced with "indentation element." The detachment element has been replaced with "indentation element" (or setback element) to clarify the translation for the term "decrochement" used in the corresponding priority French application and to reflect that the indented (or setback) portion is part of the mirror or the optical deflection element. Also, the language "line of interruption" has been replaced with the language --cut-off line--.

As to claim 10, the base claim 1 and intervening claim 10 has been amended to replace "detachment element" with "indentation element". Since the language "at least one" is used this would also cover multiple indentation elements and thus multiple "rotations". As such, claim 10 is believed to provide sufficient antecedent basis for "each rotation".

As to the remaining objections to claims 4, 5, 8-9, 18-19, the claims have been amended to address the Examiner's concerns, namely, the use of pronouns, typographical errors and other antecedent basis issues.

Thus, reconsideration and withdrawal of the objection of these claims are respectfully requested.

V. Double Patenting Rejection

Claims 1-13 and 15-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-17 of copending Application No. 10/103,631 (Your Ref. B-0940-US, Our Ref. 3529-4004) in view of Oyama (U.S. Patent No. 4,779,179). Applicants are in the process of preparing a Terminal Disclaimer and will provide the Terminal Disclaimer in due course.

VI. Rejections Under 35 U.S.C. §102 and §103:

Claims 1, 7, and 10 are rejected under 35 U.S.C. §102(b) as being anticipated by Nino (U.S. Patent No. 4,885,669). Claims 1, 8-9, 11, and 18-19 are rejected under 35 U.S.C. §102(b) as being anticipated by Nino (U.S. Patent No. 5,008,781). Claims 2-6 and 15-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nino'669 as applied to claim 1 above, and further in view of Hermann (U.S. Patent No. 3,497,687). Claims 12-13 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nino'781. Applicants respectfully traverse the above rejections for the following reasons.

In claim 1, the cut off line is obtained by the optical parts of the optical unit, i.e. the mirror and the lamp, plus the indentation element as claimed.

On the contrary, in Nino'669, the cut off line is obtained by an occulting means on the lamp (see col. 4, lines 10-24), and the shade referenced 24. A shade makes it possible to get a cut off line as well, but a significant part of the light emitted by the lamp and absorbed by the shade is lost. The yield of the lamp (i.e., the amount of the light emitted effectively to participate to the light beam versus the total amount of light emitted by the lamp) is therefore not good.

Further, in claim 1, the indentation element is part of either of the lens (e.g., claim 2 – now incorporated into claim 1) or part of the mirror (e.g., claim 7).

On the contrary, in Nino'669, the Examiner assimilates the additional reflecting surface 4 to this indentation: surface 4, as illustrated by figure 9 cited by the Examiner, which is clearly separated both from the principal mirror in which the lamp is inserted and from the optical element 26 put in front of said lamp. There is no indication that the surface 4 participates in the delimitation of the cut off line (col. 2, lines 40-57).

Furthermore, with respect to points 22 and 23 raised in the Office the Action on page 9, Nino'669 does not relate to prisms on the lens on its figure 9, reference 26: they are described on column 4, lines 33-38 as steps to disperse light, not optical means making it possible to delimit a non horizontal cut off line. Hermann mentions prisms on a lens in its abstract; however, the prism arrangement is different than the claimed inventions. For example, in Hermann, the prisms are an addition referenced 16 to the outer surface of an existing lens 13 (col. 3, lines 15-23, col. 2, lines 50-55). In contrast, the prism, as recited in claim 2 (now incorporated into claim 1) and claim 3, are part of the lens and are local modifications of the lens, not a complete modification of the definition of its outer surface by the addition of a kind of supplemental lens attached to it.

Concerning Nino'781, this reference relates to bi-filament lamps (fig. 10), with one filament dedicated to high beam and one filament dedicated to low beam, which is different than the arrangement of claim 1. As explained on column 5, lines 60-65, there is a shade member associated with the low beam filament, as in the other Nino'669. With respect to figure 23 and its description on columns 9-10, the lens shows zones 73 with some lens steps corresponding to the left and right reflecting parts of the reflector and a middle part 74 free of

steps, but it does not comprise any indentation, as claimed, i.e. a local modification as defined in claim 2 (now incorporated into claim 1) and claim 3. The lens of Nino shows only regular lines, vertical flutes on the lens, not prisms.

Accordingly, claim 1, as amended, and its dependent claims are distinguishable over Nino'669, Nino'781 and the combination of Nino'669 in view of Hermann.

For generally similar reasons, new claims 21 and 22 are also distinguishable over the cited references, individually or in combination.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

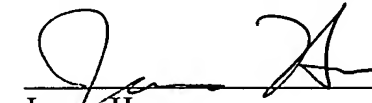
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1948-4817.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1948-4817.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: 10/28/05

By:



James Hwa
Registration No. 42,680
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101

Amendments to the Drawings:

The attached three (3) sheets of drawings includes changes to Figs. 1-6. These sheets, which include Figs. 1-6, replace the original sheets including Figs. 1-6.

Attachment: Replacement Sheets.